

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within entitled action. My business address is 21600 Oxnard Street, Suite 1110, Woodland Hills, California 91367.

On February 11, 2008, I served the following described as:

NOTICE OF MOTION AND MOTION TO DISMISS PURSUANT TO FRCP

12 (b) (6) ; MEMORANDUM OF POINTS AND AUTHORITIES, on the interested parties in this action by electronically filing a true copy thereof with the United States District Court - Northern District of California pursuant to the CM/ECF procedures in the U.S. District Court-Northern District Local Rules and FRCP 5 (b) (2) (D) :

[X] (BY AUTOMATIC SERVICE) The Notice of Electronic Filing will be generated by CM/ECF and electronically mailed to the offices of the consenting addressee as follows:

John E. Hill
Michael P. Guta
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Telephone: (510) 588-1000
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Attys for Plaintiff

/s/ ANN MARIE LUNA
ANN MARIE LUNA (original signature
retained by attorney Marc J.
Wodin)